

# Exhibit 1

Case No. 01-01139 (JKF)  
Jointly Administered

In addition to the matters raised in the Response, which is incorporated herein in its entirety, Baron & Budd submits the attached Declaration of Alan B. Rich (the “Declaration”) in support of the Response. As established in the Declaration, Baron & Budd would respectfully show the Court the following:

1. At the request of and under the direction of Mr. Rich, legal assistants at Baron & Budd were requested to gather all of the requested information and documentation in the Questionnaire for a representative group of asbestos tort claimants with claims against the Debtor, and then complete the Questionnaire for each of those claimants in the way the Debtor has demanded in its motion to compel. The group of clients included claimants both living and dead, claimants with both malignant and non-malignant diseases, and claimants with various numbers of trades and jobsites.

2. While completing the Questionnaire, the legal assistants kept track of and reported to Mr. Rich the time involved in the initial processing of the Questionnaire, the information not readily available to the reviewer, the time required to gather the information and documents not readily available from both in-house and out-of-house resources as necessary, and the time involved in transcribing the data onto the Questionnaire once all the necessary information was obtained.

3. The time necessary for the completion of the above tasks included, but was not limited to: researching the information on each client available in the firm's database; retrieving additional information as necessary from the client's file as located on the premises; in the file room, or off premises on our archive location; the estimated retrieval time, based on past experiences, of additional information and documents not currently in the possession of Baron & Budd; and the physical completion of each client's form once all the necessary information was obtained.

4. Based on the above study, the average time necessary to complete one Questionnaire in the manner demanded by the Debtors in the motion to compel was estimated.

5. The Results of this sampling follow, and these figures do not include any attorney time to review the completed questionnaires or address privilege or other issues which arise:

- A. The Average Time to Complete 1 Questionnaire in the Manner Demanded by the Debtor: **10 hours, 54 minutes.**
- B. The Number of Claimants Represented by Baron & Budd, P.C.: **6442**
- C. The Total Hours Needed to Complete All Questionnaires in the Manner Demanded by the Debtor: **70,217 hours.**
- D. The Number of weeks needed to Complete All Questionnaires in the Manner Demanded by Debtor if **6 legal assistants** (which is actually more than can be dedicated to this project) were dedicated full-time to the project: **292 weeks.**
- E. The Cost to Baron & Budd, P.C. to Complete the Questionnaires in the Manner Demanded by the Debtor: **\$1,946,415.00.**

6. Baron & Budd's existing responses to the Questionnaires required approximately **1,159 hours** of time for its legal assistants to complete, not counting the time of attorneys needed for review and to make objections.

WHEREFORE, for the foregoing reasons set forth in this Supplement, as well as the reasons set forth in the Response, Baron & Budd prays that the Motion to

Compel be denied, and for such other and further relief requested in the Response and to which Baron & Budd is entitled.

Dated: August 14, 2006

Sander L. Esserman  
Van J. Hooker  
David A. Klingler  
David J. Parsons  
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**LOCAL COUNSEL FOR  
BARON & BUDD, P.C.**

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF DELAWARE**

In re:	§	Case No. 01-01139
	§	
W.R. Grace & Co.,	§	(Chapter 11)
	§	
Debtor.	§	Hon. Judith Fitzgerald

**DECLARATION OF ALAN B. RICH IN SUPPORT OF THE RESPONSE  
OF BARON & BUDD, P.C. TO THE DEBTOR'S MOTION TO COMPEL**

1. My name is Alan B. Rich. I am over 21 years of age and am legally and mentally competent to make this declaration. The facts set forth herein are either within my personal knowledge or based upon the business records of Baron & Budd, P.C., and are true and correct.

2. I am an attorney employed at the law firm of Baron & Budd, P.C. in Dallas, Texas and I have read, and am familiar with the Debtors' Asbestos Personal Injury Questionnaire ("Questionnaire") in the above captioned matter. I have also read and am familiar with the Debtors' motion to compel and the complaints made by the Debtors about the way in which this firm has completed the existing Questionnaires, and the way they demand that those Questionnaires must be completed.

3. At my request and under my direction, legal assistants at Baron & Budd, P.C. were requested to gather all of the requested information and documentation in the Questionnaire for a representative group of asbestos tort claimants with claims against the Debtor, and then complete the Questionnaire for each of those claimants in the way the Debtor has demanded in its motion to compel. The group of clients included claimants both living and dead, claimants with both malignant and non-malignant diseases, and claimants with various numbers of trades and jobsites.

4. While completing the Questionnaire, the legal assistants kept track of and reported to me the time involved in the initial processing of the Questionnaire, the information not readily available to the reviewer, the time required to gather the information and documents not readily available from both in-house and out-of-house resources as necessary, and the time involved in transcribing the data onto the Questionnaire once all the necessary information was obtained.

5. The time necessary for the completion of the above tasks included, but was not limited to: researching the information on each client available in the firm's database; retrieving additional information as necessary from the client's file as located on the premises, in the file room, or off-premises on our archive location; the estimated retrieval time, based on past experiences, of additional information and documents not currently in the possession of Baron & Budd, P.C.; and the physical completion of each client's form once all the necessary information was obtained.

6. Based on the above study, the average time necessary to complete one Questionnaire in the manner demanded by the Debtors in the motion to compel was estimated.

7. The Results of this sampling follow, and these figures do *not* include any attorney time to review the completed questionnaires or address privilege or other issues which arise:

- A. The Average Time to Complete 1 Questionnaire in the Manner Demanded by the Debtor: **10 hours, 54 minutes.**
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- C. The Total Hours Needed to Complete All Questionnaires in the Manner Demanded by the Debtor: **70,217 hours.**

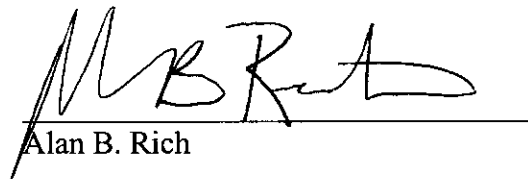
D. The Number of weeks needed to Complete All Questionnaires in the Manner Demanded by Debtor if **6 legal assistants** (which is actually more than can be dedicated to this project) were dedicated **full-time** to the project: **292 weeks**.

E. The Cost to Baron & Budd, P.C. to Complete the Questionnaires in the Manner Demanded by the Debtor: **\$1,946,415.00**.

8. Our existing responses to the Questionnaires required approximately **1,159 hours** of time for our legal assistants to complete, not counting the time of attorneys needed for review and to make objections.

I Declare Under Penalty of Perjury that the Foregoing is True and Correct.

Dated: August 10, 2006.



Alan B. Rich